

**Applicant:** Gazda et al.  
**Application No.:** 10/648,155

**REMARKS/ARGUMENTS**

Claims 1 and 6-9 are currently pending in this application. The Examiner rejected claims 1 and 6-9 under 35 U.S.C. §103. The Applicants have amended claim 1 in accordance with the Examiner's suggestion.

All amendments are fully supported in the specification. Applicants submit that no new matter has been added.

**35 U.S.C. §103(a)**

**Claim 1**

The Examiner rejected claim 1 under 35 U.S.C. §103(a) as being unpatentable over LaRosa et al. (U.S. Ref. No. 6,628,965) in view of Blaser et al. (U.S. Publication No. 2003/0233647).

The LaRosa reference discloses a computer method and system for management and control of wireless devices. In LaRosa, a Windows Kernel 6 is disclosed as cooperating with other modules in the system and allows bits and pieces of those modules to be utilized. However, there is no disclosure, suggestion or teaching in the LaRosa reference of "an operating environment, the operating environment operating independent of underlying operating systems or hardware structure, and wherein the operating environment hides underlying operating systems from its client applications," (emphasis added), as is recited in the Applicant's independent claim 1.

In addition, the Applicant's agree with the Examiner that the LaRosa reference does not disclose, teach, or suggest an operating system adaptive port interface (OS API).

The Blaser reference discloses a layered computing system and method. The file system layer (FSL) system driver (312) provides for first processing for registry and file system accesses. The Blaser reference does not teach, disclose, or suggest,

among other things, an "(OS API) configured to map operating environment entities to the underlying operating system (OS) wherein client software components access the operating environment via the OS API using a global header file." In addition, the Blaser reference fails to cure the deficiencies of the LaRosa reference with regard to at least "an operating environment, the operating environment operating independent of underlying operating systems or hardware structure, and wherein the operating environment hides underlying operating systems from its client applications," (emphasis added), which the Blaser reference does not disclose, teach, or suggest.

Accordingly, the Applicant's independent claim 1 is patentable over the LaRosa and Blaser references, whether taken alone or in combination with one another.

Claims 6-9 depend either directly or indirectly from patentable independent claim 1, and are therefore patentable for at least the same reasons as patentable independent claim 1.

In addition, claim 6 recites that the "abstraction layer utilizes a naming convention to specify which modules are OS dependent and which are OS independent." There is no disclosure, teaching, or suggestion in the LaRosa reference relating to which modules are OS dependent and which are OS

independent. Accordingly, claim 6 is patentable over the LaRosa reference for this reason as well as its dependence upon patentable independent claim 1.

Regarding dependent claim 7, there is no disclosure, teaching, or suggestion in the LaRosa reference of a "thread including an independent path of execution," "a process including an independent path of execution with its own protected address space," a Thread Group including a grouping of threads, managed collectively to synchronize their execution," a Mutex including a Thread synchronization element providing mutual exclusion to shared resources," or "an Event including a Thread synchronization element, allowing threads to coordinate execution." Accordingly, claim 7 is patentable over the LaRosa reference for this reason as well as its dependence upon patentable independent claim 1.

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**Conclusion**


If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing remarks, Applicants respectfully submit that the present application, including claim 1 and claims 6-9, is in condition for allowance and a notice to that effect is respectfully requested.

Reconsideration and entry of this amendment is respectfully requested.

Respectfully submitted,

Gazda et al.

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